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Counsel to the Chapter 7 Trustee

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

IN RE:

**ROBERT E. HICKS,

DEBTOR.**

Chapter 7
Case No. 18-30214-KLP

**PETER J. BARRETT, IN HIS CAPACITY
AS CHAPTER 7 TRUSTEE OF THE
BANKRUPTCY ESTATE OF ROBERT E.
HICKS,**

PLAINTIFF,

V.

Adversary Proceeding No. 19-03028

**CITIZENS AND FARMERS BANK; AND
FRANKLIN AMERICAN MORTGAGE
COMPANY,**

DEFENDANTS.

CONSENT ORDER RESOLVING REMAINING CLAIMS

In consideration of the allegations set forth in the *Complaint* [AP Docket No. 1] filed by Peter J. Barrett, Chapter 7 Trustee (the “**Trustee**”) of the bankruptcy estate (the “**Estate**”) of Robert E. Hicks, by counsel; and finding that this Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334, and the general order of reference from the U.S. District Court for the Eastern District of Virginia; and further finding that this matter is a core proceeding under 28

U.S.C. § 157(b)(1)(A), (F), (H), (K), and (O); and further finding that venue is proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409; it is hereby

1. **ORDERED** that Citizens and Farmers Bank and Franklin American Mortgage Company are hereby **DISMISSED** as Defendants with prejudice in the above-captioned adversary proceeding; and it is further

2. **ORDERED** that this Adversary Proceeding is closed; and it is further

3. **ORDERED** that this Court retains jurisdiction to resolve and adjudicate all disputes concerning the enforcement and interpretation of this Order; and it is further

4. **ORDERED** that the Order is effective immediately upon entry and any applicable stay is hereby waived.

Dated: Jan 7 2020

/s/ Keith L. Phillips

United States Bankruptcy Judge

Entered on Docket: Jan 8 2020

We ask for this:

/s/ Brittany B. Falabella

Robert S. Westermann (VSB No. 43294)

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Seen and agreed to:

/s/ Michael Freeman (signature authorized)

Michael Freeman (VSB No. 65460)

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Counsel for Franklin American Mortgage Co.

/s/ Jennifer J. West (signature authorized)

Jennifer J. West (VSB No. 47522)

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Counsel to Citizens and Farmers Bank

CERTIFICATE OF ENDORSEMENT
UNDER LOCAL BANKRUPTCY RULE 9022-1(C)

I hereby certify, under Local Rule 9022-1, that the foregoing proposed Order has been endorsed by and/or served upon all necessary parties.

/s/ Brittany B. Falabella

Counsel for the Chapter 7 Trustee